REMARKS

This Amendment under Rule 116 is submitted in response to a final Office Action[1] issued on March 9, 2006. Claims 1-33 were presented for examination and stand rejected. In this response, claims 1, 16, 31 and 32 are amended only for clarification purposes. As explained in detail below on pages 20-22, the scope of the claims is not changed, no further searching or consideration is required, no new matter is added, and the instant amendment should be entered under Rule 116. No claims are added or canceled. Claims 1-33 are pending. Claims 1, 11, 16, 21, 26, 31 and 32 are independent claims.

Claims 1-33 are rejected under 35 U.S.C. §102(e) as being anticipated by Gelman et al. U.S. Patent. No. 6,415,329 B1 (referred to hereinafter as "Gelman"). Applicant respectfully traverses this rejection under 35 U.S.C. §102(e) because every element of every one of Applicant's claims is not disclosed or suggested by this reference.

Introduction:

[1] The Office Action may contain a number of statements characterizing the cited reference and/or the claims which Applicant may not expressly identify herein. Regardless of whether or not any such statement is identified herein, Applicant does not automatically subscribe to, or acquiesce in, any such statement. Further, silence with regard to rejection of a dependent claim, when such claim depends, directly or indirectly, from an independent claim which Applicant deems allowable for reasons provided herein, is not acquiescence to such rejection of that dependent claim, but is recognition by Applicant that such previously lodged rejection is moot based on remarks and/or amendments presented herein relative to that independent claim.

Applicant has carefully reviewed the detailed final Office Action and believes that the Examiner and Applicant view Gelman quite differently. Applicant respectfully submits that the operation of Gelman is different from the operation of Applicant's invention, and Applicant's claims do not read on the disclosure of Gelman when properly interpreted in light of its actual operation.

In a nutshell, Applicant changes a packet's real destination address to a substitute (false) destination address and transmits, through a vulnerable environment subject to hacking, like the Internet, that data packet addressed to that substitute destination. Upon receipt of the packet after transmission through the Internet at the substitute address, the packet's substitute destination address is changed back to the real destination address and forwarded to the real destination. Thus, the real destination address is hidden from potentially nefarious hackers while the packet is transmitted over the Internet. The same technique is used in reverse, from the real destination back to the real source.[2]

Quite differently, Gelman uses source and destination gateways and wireless transmission between those gateways. Gelman translates a packet's real destination address to the address of the source gateway (col. 2, lines 41-42). Gelman then separates the data from the address in that packet at the source gateway, inserts the data into a data packet (termed a "DATA message") and inserts the real destination address into an address packet (termed a "CONNECT message"). (*See* col. 22, line 25 - col. 23, line 56) Thereafter, Gelman wirelessly and separately transmits at least those two packets over

[2] The Examiner is respectfully referred to a more detailed summary of operation of Applicant's invention starting on the bottom of page 13 to page 15 in the Remarks section of Applicant's previously-filed December 13, 2005 response.

virtual circuits to the destination gateway. The virtual circuits have sending and receiving connection numbers, requiring no addressing information (col. 25, lines 60-63). There are no TCP or IP headers, which normally include address information, transmitted on the wireless link (col. 8, lines 18-19). From the destination gateway, the data packet is transmitted to the real destination address which it had received in the separate CONNECT message packet.

Gelman does not read on any of Applicant's claims at least for the reason that they all recite limitations that require transmission of the data packet with the destination address included from a first translator to a second translator and/or that require receipt of the data packet with the destination address included by the second address translator from the first address translator, etc. Quite differently, as noted, Gelman transmits separate data and addressing packets, and explained in more detail below. These claim limitations are reviewed in detail below.

Examiner's Response to Arguments:

Applicant respectfully disagrees with the Examiner's "Response to Arguments." For example, on page 3 of the final Office Action, the Examiner cites col. 32, lines 46-48 in Gelman, which is Gelman's claim 1, and takes the position that the address information is removed from the packets "after the packet was received from the source gateway to the destination" and that "the removal process occurs at the destination gateway application." Applicant disagrees for several reasons including the more explicit description of this address-removal activity in other of Gelman's claims which was

previously presented in footnote #2 on page 13 in Applicant's response filed on December 12, 2005. For example, consider:

> "a source gateway application which receives the forwarded packets, establishes a connection over the link, using a second protocol, with a destination gateway application, **forwards packet addressing information to the destination gateway application**, and further **forwards the packets, without the packet addressing information**, in the second protocol over the link" (claim 19, column 34, lines 8-13; Emphasis added.)

> "source and destination addresses **having been removed from the packets**" (claim 20, column 34, line 45-46; Emphasis added.)

> "on the second communications session, forwarding packets from the first gateway to the second gateway, and from the second gateway to the first gateway, using the second protocol, **the packets having had addressing information removed**" (claim 21, column 35, lines 22-26; Emphasis added.)

It is clear from the above examples which are derived from other of Gelman's claims, contrary to the position taken by the Examiner on Gelman's claim 1, Gelman's claims are referring to the forwarding of packets *without* the packet addressing information. In other words, packets have had their addressing information removed *before* forwarding. This address-removing activity is not only expressed in Gelman's claims, but is also explicitly presented in Gelman's specification as discussed below.

Gelman's Specification Describes Separation of Data From Addresses Into Separate Packets Prior to Wireless Transmission:

Applicant again refers the Examiner to Gelman, column 22, line 25 to column 23, line 56. The data packet is separate from the packet containing the addresses. With reference to Table 5, it shows six different virtual circuit (VC) messages including the

CONNECT message and the DATA message. The "X" in the table under a message indicates that it contains a particular field. Clearly, the DATA message contains a data field, and a data length field, as shown by entry of an "X" for each. And the CONNECT message contains both a "local address" field and a "remote address" field as shown by entry of an "X" for each. Therefore, there are at least two separate messages - one for data and the other for addresses - where data is not included WITH the address as Applicant claims, although both data and addresses are separately communicated in separate packets from source gateway to destination gateway.

Applicant further refers the Examiner to Gelman, column 27, lines 17-22:

> DATA messages are sent on VCs **after** the VCs have entered the CONNECTED state. A DATA message is formed when a VC receives data on its socket. Data length is the amount of data in bytes read from the socket. Data is the actual data read from the socket. Upon receiving a data message, a VC sends the data on its socket. (col. 27, lines 17-22, emphasis added.)

This section of Gelman clearly says the data messages are sent AFTER the connected state is established. The connected state is that in which the address messages are sent, as explained above in connection with Table 5. Therefore, the data messages are not sent with the address messages but are sent afterwards.

Thus, contrary to the Examiner's erroneous assertions in the final Office Action, e.g., "Gelman does not disclose the addressing information is separated from the packet during transmission whereas Gelman does teach that the data packet is transmitted with the second destination address from the source (first) SNAT (col. 3, lines 34-38 and col. 4, lines 46-56)" which appears in final Office Action, pages 4-5, this separation between

data and address packets has been presented in Gelman's disclosure including specification and claims, as demonstrated above.

Applicant's Claims:

With this background in mind, consider Applicant's currently amended claim 1:

> In a network including at least one server for communicating with at least one client, a method comprising: receiving in a first address translator a data packet from a client, the data packet including a first destination address; changing the first destination address to a second destination address in the first address translator; transmitting the data packet with the second destination address from the first address translator to a second address translator via the network; receiving in a second address translator the data packet with the second destination address transmitted via the network; translating the second destination address back to the first destination address in the second address translator; and forwarding the data packet from the second address translator to the server using the first destination address. (claim 1, emphasis added)

Claim 1 clearly indicates that the data packet *includes* a first destination address. Claim 1 further states that the first destination address is changed to a second destination address, wherefore the data packet must *include* the second destination address instead of the first destination address after that change. Therefore, as claimed, Applicant transmits the data packet WITH the second destination address included.

Quite differently, Gelman does not disclose or suggest: "transmitting the data packet with the second destination address from the first address translator to a second address translator via the network" as recited in claim 1, because it separates its data message packet from its address message packet, when wirelessly transmitting via WLP between its first and second address translators, as explained above. The final Office Action, page 8, cites column 9, lines 24-25 against this claim element: "On the other end

of the satellite link 44, the destination gateway application 62B receives the packets from its WLP layer 60B and forwards them to the destination TCP layer 63B." This says nothing about receiving the data packet with the address information included. Clearly, the detailed explanation in Gelman's Table 5 about separate data and address packets counters any assertion to the contrary based on this column 9, lines 24-25 citation.

Applicant further submits that Gelman also does not disclose or suggest: "receiving in the second address translator the data packet with the second destination address transmitted via the network" for the same reasons given above. The final Office Action cites column 4, lines 46-51 and column 10, lines 9-11, but nothing in these sections, or anyplace else in Gelman, discloses or suggests this claim element, because the data packet WITH the address is not being received in the second address translator.

For these reasons, the 35 U.S.C. § 102(e) rejection of claim 1 should be withdrawn and the claim allowed. MPEP § 2131 states that to anticipate a claim, the reference must teach every element of the claim. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ...claim." *See Richardson v. Suzuki Motor Co.*, 868 F. 2d 1226, 1236, 9USPQ2d 1913, 1920 (Fed. Cir. 1989). In this instance since Gelman does not teach at least "transmitting the data packet with the second destination address from the first address translator to a second address translator via the network" and/or "receiving in a second address translator the data packet with the

second destination address transmitted via the network", for reasons given above, the 35 U.S.C.§ 102(e) rejection of claim 1 should be withdrawn and the claim allowed.

The same or similar limitations appear in all of Applicant's independent claims, as follows:

Claim 11 recites, interalia: "transmit the data packet with the second destination address to a second address translator." The final Office Action cites column 3, lines 34-38 against this claim element, but nothing in this section, or anyplace else in Gelman, discloses or suggests transmitting the data packet WITH the address between translators.

Claim 16 recites, interalia: "transmitting the data packet with the second destination address from the first address translator to a second address translator." The final Office Action cites column 4, lines 46-51 and column 3, lines 59-62 against this claim element, but nothing in these sections, or anyplace else in Gelman, discloses or suggests transmitting the data packet WITH the address between translators.

Claim 21 recites, interalia: "receive in a second address translator from a first address translator a data packet including a first destination address, the first destination address representing mapped destination address information." The final Office Action cites column 4, lines 46-51 and column 10, lines 9-11 against this claim element, but nothing in these sections, or anyplace else in Gelman, discloses or suggests receiving a data packet INCLUDING address in the second address translator from the first address translator.

Claim 26 recites, interalia: "receiving from a first address translator into a second address translator a data packet including a first destination address, the first destination address representing a mapped destination address." The final Office Action cites column 17, lines 28-36 and column 18, lines 13-22 and lines 34-50 against this claim element, but nothing in these sections, or anyplace else in Gelman, discloses or suggests receiving a data packet INCLUDING address into the second address translator from the first address translator.

Claim 31 recites, interalia: "means for transmitting the data packet with the second destination address from the first address translator to a second address translator via the network." The final Office Action cites column 9, lines 24-25 against this claim element, but nothing in this section, or anyplace else in Gelman, discloses or suggests transmitting a data packet WITH address from the first address translator to the second address translator. Claim 31 also recites, interalia: "means for receiving in the second address translator the data packet with the second destination address transmitted via the network." The final Office Action cites column 3, lines 59-62 and column 10, lines 9-11 against this claim element, but nothing in these sections, or anyplace else in Gelman, discloses or suggests receiving a data packet WITH address in the second address translator transmitted over the network.

Claim 32 recites, interalia: "a first address translator configured to....transmit the data packet with the second destination address via the network to a second address translator." The final Office Action cites column 3, lines 59-62 and column 9, line 53 to column 10, line 8 against this claim element, but nothing in these sections, or anyplace

else in Gelman, discloses or suggests transmitting the data packet WITH address between translators. Claim 32 also recites: "and the second address translator configured to: receive the data packet with the second destination address transmitted via the network...." The final Office Action cites column 4, lines 46-51 and column 10, lines 9-11, but nothing in these sections, or anyplace else in Gelman, discloses or suggests receiving a data packet WITH address transmitted over the network.

Therefore, in accordance with MPEP § 2131, the 35 U.S.C. § 102(e) rejection of each one of these claims should likewise be withdrawn and the claim allowed.

All dependent claims, each dependent from one of these allowable independent claims, are likewise allowable, at least for reasons based on their respective dependence upon an allowable base claim.

This Amendment Should Be Entered:

This Amendment should be entered under Rule 116 because it does not enlarge the scope of the claims, does not require further searching or consideration, and does not add new matter.

In currently amended claim 1, the additional language "to a second address translator" was previously recited in previously-presented independent claim 11 in the same context, wherefore that limitation has previously been examined. In currently amended claim 1, the additional language "with the second destination address" previously appeared in claim 1 in the transmitting step, both usages referring to the data packet, wherefore this limitation has also previously been examined. This amendment is made only to enhance the clarity of the claim.

Independent claim 11 is not currently amended.

In currently amended claim 16, the additional language "from the first address translator" was recited in claim 1 prior to its current amendment in the same context as recited in claim 16 wherefore this limitation has been previously examined. This amendment is made only to enhance the clarity of the claim.

Independent claim 21 is not currently amended.

Independent claim 26 is not currently amended.

In currently amended claim 31, the additional language "to a second address translator" was previously recited in previously-presented independent claim 11 in the same context, wherefore that limitation has previously been examined. In currently amended claim 31, the additional language "with the second destination address" previously appeared in claim 31 in the transmitting means, both usages referring to the data packet, wherefore this limitation has also previously been examined. This amendment is made only to enhance the clarity of claim 31.

In currently amended claim 32, the additional language "to a second address translator" was previously recited in previously-presented independent claim 11 in the same context, wherefore that limitation has previously been examined. In currently amended claim 32, the additional language "with the second destination address" previously appeared in claim 32 in the transmit configuration, both usages referring to the data packet, wherefore this limitation has also previously been examined. This amendment is made only to enhance the clarity of claim 32.

CONCLUSION

Reconsideration and allowance are respectfully requested based on the above amendment and remarks. It is respectfully submitted that all claims and, therefore, this application are in condition for allowance.

It is respectfully asserted that this amendment, responsive to final rejection, should be entered for the reasons specified above, and to narrow-down issues to be presented upon appeal if the Examiner does not find allowable subject matter herein.

If there are any remaining issues or if the Examiner believes that a telephone conversation with Applicant's attorney would be helpful in expediting the prosecution of this application, the Examiner is invited to call the undersigned at (972) 718-4800.

To the extent necessary, a petition for extension of time under 37 C.F.R. § 1.136 is hereby made, the fee for which should be charged to deposit account number 07-2347. Please charge any other fees due, or credit any overpayment made to that account.

Respectfully submitted,

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